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ATTORNEYS FOR PLAINTIFFS
MO POW 3, LLC AND MO POW 4, LLC

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

MO POW 3, LLC and MO POW 4, LLC,

Plaintiffs,

v.

CRYPTO INFINITI LLC,

Defendant.

Civil Action No. 1:22-CV-155-KHR

**PLAINTIFFS' MOTION FOR MANDATORY DISPUTE RESOLUTION AND STAY
OF BRIEFING**

Plaintiffs MO POW 3, LLC and MO POW 4, LLC (Plaintiffs) move, pursuant to Rule 16.3(b) of the United States District Court for the District of Wyoming Local Civil Rules, for an order assigning this case to Judge Hambrick for alternative dispute resolution through mediation. Local Rule 16.3(b) provides that: "The Court may schedule a mediation whenever the Court concludes that the nature of the case, the amount in controversy, or the status of the case indicates a mediation conference might be beneficial. Upon the request of any party, which may be made at any stage of the proceedings, the Court will consider scheduling a mediation."

Mediation would benefit this case. The parties have had some settlement discussions with no success. Plaintiffs believe settlement is possible with the assistance of a mediator. With the

recent decision on the parties' cross motions for summary judgment, only damages remain. This represents a prime chance for the parties to see if they can reach a settlement.

Judicial efficiency also supports an order for the parties to mediate. Without it, the parties would be required to submit additional briefs, potentially orally argue the remaining dispute, and the Court would then be asked to rule on the remaining dispute. Mediation now would save the parties and the Court that effort.

Finally, Plaintiffs request the Court stay the current briefing schedule. The money spent on legal fees (at least on Plaintiffs' side) dilutes the amounts available for settlement. Further, the remaining uncertainty on the outcome creates risk for both sides that allows for pushes toward a settlement. But if the Court fully resolves the matter, settlement becomes very difficult. If the parties are unable to resolve the matter through mediation, the parties can resume briefing.

Plaintiffs requested Defendant's position on both mediation and a stay. Defendant opposes a stay. Defendant does not object to mediation.

A Proposed order is attached.

DATED: April 16, 2024.

/s/ Jeffrey S. Pope

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